



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Monobu Sai et al.

Application No.: 10/673,188

Filed: September 30, 2003

For: SEMICONDUCTOR LIGHT
EMITTING DEVICE AND METHOD
OF MANUFACTURING THE SAME

) **MAIL STOP AMENDMENT**

) Group Art Unit: 2814

) Examiner: THAO X. LE

) Confirmation No.: 1256

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: January 13, 2005

Sir:

This election is filed in response to the Office Action dated December 16, 2004 (Paper No. 120804). In the Office Action, the Examiner identified two distinct inventions. The Examiner required the Applicants, under 35 U.S.C. §121, to elect a single invention for prosecution. The two inventions identified by the Examiner are:

- I) Claims 1-4 and 10-11, drawn to a semiconductor device,
- II) Claims 5-9, drawn to a method of making a semiconductor device.

Pursuant to the Examiner's requirement, the Applicants elect Group I, claims 1-4 and 10-11. It is understood that claims 5-9 will be withdrawn from prosecution. Applicants reserve the right to file divisional applications.

An earlier examination and favorable action on claims 1-4 and 10-11 are respectfully requested.

In the event this paper is not considered to be timely filed, Applicants hereby petition for an appropriate extension of time. The Commissioner is authorized to

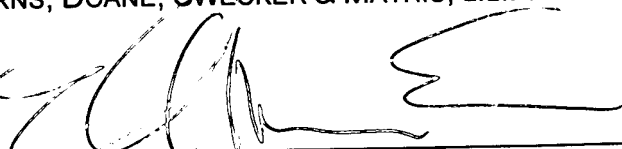
charge payment for any additional fees which may be required with respect to this paper to our Deposit Account No. 02-4800.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: January 13, 2005

By:


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